

Rev to W&Z
4/9/13

Wetlands Bureau Decision Report

Decisions Taken
04/01/2013 to 04/07/2013

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2012-03264

NH DEPT OF TRANSPORTATION

ALTON

Requested Action:

Reconstruct 2,100 feet of Rte. 28 and reconfigure the intersections with Stockbridge Corner Road and Hamwoods Road providing improved site distance, relocation of ditchlines and replacement of a 5 ft. x 2 ft. jack arch box with a 5 ft. x 3 ft. closed bottom box imbedded 1 ft. impacting 20,730 sq. ft. (9,206 sq. ft. temporary) of palustrine and riverine wetlands. NHDOT project 14121D

Compensatory mitigation includes a one-time payment of \$41,944.13 into the Aquatic Resource Mitigation Fund.

APPROVE PERMIT:

Reconstruct 2,100 feet of Rte. 28 and reconfigure the intersections with Stockbridge Corner Road and Hamwoods Road providing improved site distance, relocation of ditchlines and replacement of a 5 ft. x 2 ft. jack arch box with a 5 ft. x 3 ft. closed bottom box imbedded 1 ft. impacting 20,730 sq. ft. (9,206 sq. ft. temporary) of palustrine and riverine wetlands. NHDOT project 14121D

Compensatory mitigation includes a one-time payment of \$41,944.13 into the Aquatic Resource Mitigation Fund.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design dated 12/7/2012, as received by the Department on Dec. 19, 2012.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Construction equipment shall not be located within surface waters.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
10. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
11. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
12. The impacts associated with the temporary work shall be restored immediately following construction.
13. Any plan showing the replacement of the 5 ft. x 2 ft. box culvert with twin pipes is not approved.
14. This approval is contingent on receipt by DES of a one time payment of \$41,944.13 to the DES Aquatic Resource Mitigation (ARM) Fund. The payment shall be received by DES within 120 days of the date of the approval letter or the application will be denied.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.03(c) and (i), alteration of more than 20,000 sq. ft. of non-tidal wetlands and more than 200 linear feet of streams.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has reviewed on-site options for mitigation and the department has determined that this project is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund.
6. The payment calculated for the proposed wetland loss equals \$41,944.13.
7. The Department decision is issued in letter form and upon receipt of the ARM fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).
8. The payment into the ARM fund shall be deposited in the DES fund for the Winnepesaukee - Pemigewasset River service area per RSA 482-A:29.

2013-00306 GULEZIAN, CHARLOTTE/DAVID
LACONIA Lake Winnepesaukee

Requested Action:

Permanently remove 4 existing non-conforming docking structures and construct two 4 ft. x 40 ft. piling docks with two ice clusters and 4 tie off piles, install a 4 ft. x 40 ft. seasonal dock and a 4 ft. x 50 ft. seasonal dock, 3 seasonal personal watercraft lifts and one seasonal boatlift on an average of 321 feet of frontage along Lake Winnepesaukee, in Laconia.

Conservation Commission/Staff Comments:

No Com Com comments by Feb 22, 2013

APPROVE PERMIT:

Permanently remove 4 existing non-conforming docking structures and construct two 4 ft. x 40 ft. piling docks with two ice clusters and 4 tie off piles, install a 4 ft. x 40 ft. seasonal dock and a 4 ft. x 50 ft. seasonal dock, 3 seasonal personal watercraft lifts and one seasonal boatlift on an average of 321 feet of frontage along Lake Winnepesaukee, in Laconia.

With Conditions:

1. All work shall be in accordance with plans by Docks Unlimited, as received by the NH Department of Environmental Services (DES) on January 31, 2013, and boatlift location plan submitted on March 5, 2013.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
4. All portions of the four pre-existing piers shall be removed from the jurisdiction of the DES Wetlands Bureau prior to the construction or installation of any new docking structure.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Seasonal piers shall be removed from the lake for the non-boating season.
10. Seasonal boatlift and seasonal PWC lifts shall be removed from the lake for the non-boating season.
11. The minimum clear spacing between piles shall be 12 feet.

12. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a docking facility providing 5 or more slips.
2. The Applicant has an average of 321 feet of frontage along Lake Winnepesaukee.
3. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 8 slips as defined per RSA 482-A:2, VIII and therefore is more compliant with Rule Env-Wt 402.13 than the pre-existing facility which provided 10 slips.
5. The proposed docking system will provide 2 fewer boat slips and will impact fewer square feet over public waters than the grandfathered configuration and, therefore, meets the requirements of Rule Env-Wt 402.21.
6. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

2013-00319 PIKE INDUSTRIES INC
GORHAM Moose Brook

Requested Action:

Dredge and fill 2,328 square feet of the bed and bank of Moose Brook to stabilize 146 linear feet of the bank of Moose Brook with stone toe protection, grading and vegetating the slope above the low-flow water elevation, and installing a j-hook and rock vane to provide near bank shear stress reduction and encourage in-stream habitat formation. Work in jurisdiction includes 315 square feet of temporary impacts.

APPROVE PERMIT:

Dredge and fill 2,328 square feet of the bed and bank of Moose Brook to stabilize 146 linear feet of the bank of Moose Brook with stone toe protection, grading and vegetating the slope above the low-flow water elevation, and installing a j-hook and rock vane to provide near bank shear stress reduction and encourage in-stream habitat formation. Work in jurisdiction includes 315 square feet of temporary impacts.

With Conditions:

1. All work shall be in accordance with plans by Loureiro Engineering Associates, Inc. entitled Pike Industries, Inc.: Moose Brook Bank Stabilization (Sheets 1-10 of 10) dated January 9, 2013 as received by DES on January 28, 2013.
2. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur.
3. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
4. Construction in cold water fishery streams shall not occur between September 16 and June 30 to minimize impacts to the fishery resource during spawning season.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
8. Faulty equipment shall be repaired prior to entering jurisdictional areas.
9. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

10. All equipment shall work from adjacent banks or uplands and shall not enter flowing water.
11. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
12. Area of temporary impact shall be restored to original conditions following the completion of work.
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
17. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a major project per Administrative Rule Env-Wt 303.02 (i) Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks. For intermittent streams, the distance shall be measured along the thread of the channel. For perennial streams or rivers, the total disturbance shall be calculated by summing the lengths of disturbances to the channel and the banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The project is needed to protect existing buildings adjacent to the eroding bank.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.
4. Upstream of the project area the bank is armored with a rip-rap revetment. In the area of the bank erosion the brook is highly incised and exhibits a moderate gradient. The most dominant factors contributing to the stream bank erosion are the entrenchment and straightening of the stream channel resulting in a net increase in stream bed slope and therefore an increased capacity to carry sediment. Downstream of the project area the brook appears to widen and exhibit more normal characteristics.
5. Two in-stream structures will be utilized to redirect flow away from the bank and reduce near-bank shear stress. The in-stream stabilization measures will direct flow towards the center of the channel. These structures will provide flow diversity and habitat for aquatic species.
6. The bituminous debris will be removed from the eroding slope.
7. Moose Brook has been identified as having both Eastern Brook Trout and Rainbow Trout. Construction timing methodology and sequence as described in the following plan set have been designed to minimize impacts.
8. NH Fish and Game commented that it will minimize the impact to spawning brook trout and rainbow trout and their eggs and newly hatched fry if you do the work between July 1 and September 15. The permit is conditioned on work occurring between July 1 and September 15.
9. An emergency authorization to temporarily stabilize approximately 20 linear feet of the bank of Moose Brook within the project area was issued on February 25, 2013. Review of the materials submitted pursuant the emergency authorization indicates that work was been completed in accordance with the emergency authorization.
10. The applicant provided written permission from the property owner of Gorham Tax Map U-8, Lot 15 for work to occur on their property.
11. No comments were submitted from the Conservation Commission or the Natural Heritage Bureau.
12. The project is for bank stabilization and to protect existing infrastructure and therefore does not require compensatory mitigation per Administrative Rule Env-Wt 302.03(c)(2)c.
13. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resources, as identified under RSA 482-A:1.

Requested Action:

Proposal to dredge and fill 21,348 sq. ft. of perennial stream "Riddle Brook" and associated wetlands to replace three undersized culverts on Chubbuck Road and Magazine Street in the Town of Bedford. Work includes replacing a 72 in. x 56 ft. CMP culvert on Chubbuck Road with twin 12 ft. span x 6 ft. rise x 46 ft. run precast concrete box culverts and associated grading, filling and channel reconstruction, replace a 60 in. x 50 ft. RCP culvert on Magazine Street ("Upper Magazine Street") with twin 12 ft. span x 6 ft. rise x 46 ft. run precast box culverts and associated grading, filling and replace a 60 in. x 66 ft. RCP culvert and a 36 in. x 66 ft. CMP culvert on Magazine Street ("Lower Magazine Street") with twin 15 ft. span x 6 ft. rise x 51 ft. run precast box culverts (includes a low flow fish passage notch) and associated grading, filling and new natural channel alignment construction.

APPROVE PERMIT:

Dredge and fill 21,348 sq. ft. of perennial stream "Riddle Brook" and associated wetlands to replace three undersized culverts on Chubbuck Road and Magazine Street in the Town of Bedford. Work includes replacing a 72 in. x 56 ft. CMP culvert on Chubbuck Road with twin 12 ft. span x 6 ft. rise x 46 ft. run precast concrete box culverts and associated grading, filling and channel reconstruction, replace a 60 in. x 50 ft. RCP culvert on Magazine Street ("Upper Magazine Street") with twin 12 ft. span x 6 ft. rise x 46 ft. run precast box culverts and associated grading, filling and replace a 60 in. x 66 ft. RCP culvert and a 36 in. x 66 ft. CMP culvert on Magazine Street ("Lower Magazine Street") with twin 15 ft. span x 6 ft. rise x 51 ft. run precast box culverts (includes a low flow fish passage notch) and associated grading, filling and new natural channel alignment construction.

With Conditions:

1. All work shall be in accordance with plans by McFarland Johnson, dated January 15, 2013 and narratives, as received by the NH Department of Environmental Services (DES) on February 15, 2013.
2. The Town shall obtain construction easements or written agreements from affected landowners with work in jurisdiction on their property or within 20 feet of their property. Copies shall be supplied to DES Wetlands Bureau File No. 2013-00476 prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. The final surface of the stream channel bed shall be restored at natural grade using natural round stone or existing streambed materials and shall not include angular rip-rap.
5. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. A follow-up report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
6. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
7. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
8. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired immediately.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 903.01 (g) A project shall be classified as a major impact project if:
 - (1) The stream crossing is a new or replacement tier 3 crossing; or
 - (2) Any of the criteria for a major project specified in Env-Wt 303.02 are met, regardless of the tier classification of the stream crossing that is part of the project.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Town has indicated that the crossings have overtopped several times and made the roads impassable.
6. The applicant has investigated three replacement options consisting of 36 foot clear span precast bridges, 24-foot span multiple cell embedded box culverts or 24-foot span multiple cell box culverts, cost ranged from \$1,335,000.00, \$873,000.00 and \$831,000.00 dollars, respectively.
7. Due to the cost of clear span bridges and indication of ledge at Chubbuck Road the non-embedded multiple cell box culverts were chosen.
8. As a result it was determined that replacement of the crossings in accordance with Administrative Rule Env-Wt 904.08 would not be practicable. Therefore, the crossings were designed as an Alternative Design per Administrative Rule Env-Wt 904.09.
9. A New Hampshire Licensed Professional Engineer conducted a hydrological analysis of the existing conditions and proposed replacements and provided a engineered stamped plan set.
10. The applicant's agent has indicated that the new crossings will accommodate the 100-year storm event.
11. The new crossings are considered self- mitigating per Env-Wt 904.08(f)(1).
12. The new crossing were considered self- mitigating because each crossing is currently undersized, causes flooding and erosion and are likely barriers to aquatic organism passage. The new crossings are designed to accommodate the 100-year storm event, the project will restore aquatic connection along .25 mile section of Riddle Brook and a majority of the proposed impacts could be considered temporary.
13. The current crossing at Lower Magazine Street includes a weir/dam. The crossing will be abandoned and new stream channel constructed.
14. The new structure (Lower Magazine Street) will include a low flow fish passage channel.
15. The New Hampshire Fish and Game Department was consulted on the design of the new crossings and the proposed low flow fish passage notch.
16. The department has not received any abutter or public comments in objection to the proposed project.
17. The department has been notified that the Bedford Conservation Commission recommended approval of the application.
18. The department has received comments from the United States Environmental Protection Agency ("EPA") indicating the project is eligible for the New Hampshire State Programmatic General Permit ("SPGP") process.
19. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

MINOR IMPACT PROJECT

2008-00064

HUCKINS, LESTER

BARNSTEAD

Requested Action:

Request permit time extension.

APPROVE TIME EXTENSION:

Dredge and fill a total of 1,562 sq. ft. of wetlands including installation of a 72" x 20' pipe arch culvert and associated wing walls, impacting 40 linear ft. of perennial stream bank impacts, and installation of twin 36" x 20' culverts, impacting 20' linear ft. of seasonal stream, for construction of a shared driveway to two lots.

With Conditions:

1. All work shall be in accordance with revised plans by Ames MSC dated 4/15/2008, as received by the Department on 4/25/2008.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit shall not be effective until it has been recorded with the Strafford County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
6. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
7. There shall be no further alteration of wetlands for lot development, driveways, or additional culverts.
8. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be properly rip rapped.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Work shall be done during low flow.

With Findings:

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.
2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

MINIMUM IMPACT PROJECT

2012-03299

CUNDY, DONALD/SHARON

ALTON Lake Winnepesaukee

Requested Action:

Install a 4 ft. x 24 ft. seasonal dock attached to the existing shoreline rocks accessed by a 3 ft. wide stair over the bank within a NH DOT ROW on an average of 50 feet of shoreline frontage, Alton.

Conservation Commission/Staff Comments:

12/21/12 Con. Com. requests 40 days suspension until they have time to investigate the project.

1/28/13 Con.Com has no objections.

APPROVE PERMIT:

Install a 4 ft. x 24 ft. seasonal dock attached to the existing shoreline rocks accessed by a 3 ft. wide stair over the bank within a NH DOT ROW on an average of 50 feet of shoreline frontage, Alton.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated March 05, 2013, as received by the NH Department of Environmental Services (DES) on March 05, 2013.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 24 feet from the shoreline at full lake elevation.
6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), installation of a seasonal dock.

FORESTRY NOTIFICATION

2013-00767 BAYROOT LLC
DIX GRANT Unnamed Stream

COMPLETE NOTIFICATION:
Dix Grant, Tax Map #1626, Lot #10 & 32

2013-00768 BAYROOT LLC
DIXVILLE Unnamed Stream

COMPLETE NOTIFICATION:
Dixville, Tax Map #1626, Lot #9

2013-00780 REED, WADE
EFFINGHAM Unnamed Stream

COMPLETE NOTIFICATION:
Effingham, Tax Map #410, Lot #6

2013-00787 THOMSON, PETER
ORFORD Unnamed Stream

COMPLETE NOTIFICATION:
Orford, Tax Map #007-032, Lot #001

EXPEDITED MINIMUM

2013-00666 RAITHEL, JAMES
GILFORD Lake Winnepesaukee

Requested Action:

Repair an existing docking structure consisting of two permanent piling supported 6 ft by 30 ft docks connected by an 4 ft by 11 ft 11 in walkway, replace 6 fender pilings, replace one 3 piling ice cluster on 150 ft of frontage on Lake Winnepesaukee, Gilford.

Conservation Commission/Staff Comments:

Con Com signed Wet applicaiton

APPROVE PERMIT:

Repair an existing docking structure consisting of two permanent piling supported 6 ft by 30 ft docks connected by an 4 ft by 11 ft 11 in walkway, replace 6 fender pilings, replace one 3 piling ice cluster on 150 ft of frontage on Lake Winnepesaukee, Gilford.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated February 28, 2013, as received by the NH Department of Environmental Services (DES) on March 18, 2013.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2013-00676

SEYMOUR, ELYSA/THOMAS

ALTON Lake Winnepesaukee

Requested Action:

Replace 44 linear feet of retaining wall on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com signed Wet applicaiton

APPROVE PERMIT:

Replace 44 linear feet of retaining wall on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Steven Smith Associates dated January 20, 2013, as received by the NH Department of Environmental Services (DES) on March 18, 2013.
2. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
5. Work shall be done during drawdown.
6. This permit does not allow for the removal of trees on the frontage.
7. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

GOLD DREDGE

2013-00774

HIRSCHFELD, BRUCE

(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:

cc Bath ConCom

2013-00775 CAREW, MICHAEL
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2013-00776 MURRAY III, CHARLES
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2013-00777 EVANOSKI SR, PETER
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2013-00778 SANTTI, KEVIN
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2013-00782 GRAHAM, MONTRIVILLE
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2013-00797 KEMBLE JR, LESTER
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2013-00798 ROY, KRISTINA
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2013-00799 ROY, CHADWICK
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

LAKES-SEASONAL DOCK NOTIF

2013-00785 QUIMBY, GEORGE
HILLSBOROUGH Franklin Pierce Lake

Requested Action:
Installation of a seasonal docking structure.

COMPLETE NOTIFICATION:
Installation of a seasonal docking structure.

With Findings:
Installation of a seasonal docking structure.

2013-00789 LEMIRE, CATHY
RINDGE Pool Pond

Requested Action:
Installation of a seasonal docking structure.

COMPLETE NOTIFICATION:
Installation of a seasonal docking structure.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a) installation of a seasonal docking structure.

ROADWAY MAINTENANCE NOTIF

2013-00783 NH DEPARTMENT OF TRANSPORTATION DISTRICT 4
NEW IPSWICH Unnamed Stream Unnamed Wetland

COMPLETE NOTIFICATION:
Replace 48" x 80' culvert and reconstruct headwall & construct stone aprons at inlet & outlet.

PERMIT BY NOTIFICATION

2013-00673 O'NEILL, CAROL
SALEM Canobie Lake

Requested Action:

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c) Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

2013-00690 FARRELL, MARY
WAKEFIELD Great East Lake

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2013-00725 DAWSON, WILLIAM
ALTON Lake Winnepesaukee

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2013-00740

CROWLEY, LEON

WAKEFIELD Pine River Pond

Requested Action:

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04 (c) Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

CSPA PERMIT

2013-00578

CONWAY VILLAGE FIRE DISTRICT

ALBANY Pequawket Brook & Pequawkeet Pond

Requested Action:

Impact 10,000 sq ft in order to construct 1,660 ft of 8 inch waterline.

APPROVE PERMIT:

Impact 10,000 sq ft in order to construct 1,660 ft of 8 inch waterline.

With Conditions:

1. All work shall be in accordance with plans by Underwood Engineers dated February 2013 and received by the NH Department of Environmental Services (DES) on March 13, 2013.
2. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the

site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

4. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
5. Any fill used shall be clean sand, gravel, rock, or other suitable material.
6. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2013-00618 **SMITH, DIANE**
NORTHWOOD Northwood Lake

Requested Action:

Impact 2,003 sq ft in order to replace deteriorating retaining walls and stairs, replace an existing deck with a new pervious patio, remove impervious surfaces and restore footprints by loaming and seeding, add plantings to waterfront buffer and implement a stormwater management plan.

APPROVE PERMIT:

Impact 2,003 sq ft in order to replace deteriorating retaining walls and stairs, replace an existing deck with a new pervious patio, remove impervious surfaces and restore footprints by loaming and seeding, add plantings to waterfront buffer and implement a stormwater management plan.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Consultants, LLC dated February 19, 2013 and received by the NH Department of Environmental Services (DES) on March 11, 2013.
2. This permit does not allow for impact to the bank or waterbody which require a permit from DES Wetlands Bureau. The Owner shall obtain any permit as may be required pursuant to RSA 482-A prior to impacting areas within the surface water or its banks.
3. No more than 27.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2013-00620 **BOUCHARD, PHILLIPPE**
WINDHAM Cobbett's Pond

Requested Action:

Impact 2,832 sq ft in order to subdivide a lot for the purpose to create an access driveway.

APPROVE PERMIT:

Impact 2,832 sq ft in order to subdivide a lot for the purpose to create an access driveway.

With Conditions:

1. All work shall be in accordance with plans by Benchmark Engineering, Inc. dated November 2, 2010 and received by the NH Department of Environmental Services (DES) on March 11, 2013.
2. No more than 24.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 2,900 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2013-00627

WILKIE, FLOYD

CAMPTON Pemigewasset River

Requested Action:

Impact 2,840 sq ft in order to construct a driveway way.

APPROVE PERMIT:

Impact 2,840 sq ft in order to construct a driveway way.

With Conditions:

1. All work shall be in accordance with plans by Mountain Mapping dated March 2013 and received by the NH Department of Environmental Services (DES) on March 11, 2013.
2. No more than 2.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 14,375 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2013-00632

KOZLOVSKY, ALEXANDER

WOLFEBORO Crescent Lake

Requested Action:

Impact 1,190 sq ft in order to remove existing shed and construct a new garage with an additional 317 sq ft of impervious area.

APPROVE PERMIT:

Impact 1,190 sq ft in order to remove existing shed and construct a new garage with an additional 317 sq ft of impervious area.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated February 12, 2013 and received by the NH Department of Environmental Services (DES) on March 11, 2013.
2. No more than 6.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 6,042 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2013-00639 NH DRED
HAMPTON Atlantic Ocean**

Requested Action:

Impact 395 sq ft in order to add an addition to an existing building.

APPROVE PERMIT:

Impact 395 sq ft in order to add an addition to an existing building.

With Conditions:

1. All work shall be in accordance with plans by Seth Prescott dated February 25, 2013 and received by the NH Department of Environmental Services (DES) on March 12, 2013.
2. No more than 100% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2013-00640 MEGNIN, CHARLES/LINDA
HILLSBOROUGH Loon Pond**

Requested Action:

Impact 800 sq ft in order to level parking lot with fill and construct a garage more than 50 feet from the reference line.

APPROVE PERMIT:

Impact 800 sq ft in order to level parking lot with fill and construct a garage more than 50 feet from the reference line.

With Conditions:

1. All work shall be in accordance with plans by Sharon Monahan dated January 22, 2013 and received by the NH Department of Environmental Services (DES) on March 12, 2013.
2. No more than 9.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 3,694 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2013-00644

THE LORIE A BALL REVOCABLE TRUST

SALEM Arlington Lake

Requested Action:

Impact 3,486 sq ft in order to construct a garage addition to an existing dwelling and replace septic system.

APPROVE PERMIT:

Impact 3,486 sq ft in order to construct a garage addition to an existing dwelling and replace septic system.

With Conditions:

1. All work shall be in accordance with plans by Misner Brem Corporation dated February 14, 2013 and received by the NH Department of Environmental Services (DES) on March 13, 2013.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 22.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

UTILITY NOTIFICATION

2013-00808

TENNESSEE GAS PIPELINE

HOOKSETT Unnamed Wetland

COMPLETE NOTIFICATION:

Repair of 50 linear feet of gas pipe on the Concord Lateral.